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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,563	12/22/2003	Tzeng-Chih Chiou	ACMP0035USA	1562
27765 7590 03/09/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER DEAN, RAYMOND S	
			ART UNIT	PAPER NUMBER
			2618	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/09/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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winstonhsu.uspto@gmail.com  
Patent.admin.uspto.Rcv@naipo.com  
mis.ap.uspto@naipo.com.tw

## Office Action Summary

Application No.

10/707,563

Applicant(s)

CHIOU, TZENG-CHIH

Examiner

Raymond S. Dean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1104</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation “the alarm processing module” in lines 14 – 15.

There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 9 and 12 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forrester (US 6,710,651) in view of Myllymaki et al. (6,018,646).

Regarding Claim 1, Forrester teaches a mobile phone comprising: a processor for controlling operations of the mobile phone (Figure 3, Cols. 6 lines 65 – 67, 7 lines 1 – 9); a power modulating module for controlling a power level of a communication signal so as to generate a corresponding transmission signal (Col. 7 lines 10 – 19, lines 27 – 32); a power measuring circuit electrically connected to the power modulating module for measuring a power level of the transmission signal so as to generate a corresponding result (Col. 7 lines 10 – 19).

Forrester does not teach an alarm processing module (**NOTE:** Examiner has made the assumption that Applicants meant to state an alarm processing module as opposed to an antenna) electrically connected to the power measuring circuit for generating a corresponding alarming signal according to the result; and an alarming module electrically connected to the alarm processing module for generating a corresponding sign according to the alarming signal for indicating the power level of the transmission signal.

Myllymaki teaches an alarm processing module electrically connected to the power measuring circuit for generating a corresponding alarming signal according to the result (Col. 3 lines 8 – 30); and an alarming module electrically connected to the alarm processing module for generating a corresponding sign according to the alarming signal for indicating the power level of the transmission signal (Col. 3 lines 8 – 30).

Forrester and Myllymaki (Cols. 4 line 67, 5 lines 1 – 5) teach a system in which the transmission power of a mobile device is controlled such that an Specific Absorption Rate (SAR) value is not exceeded thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration and method taught above by Myllymaki in the system of Forrester as an additional or alternative means for preventing the transmission power from exceeding a particular SAR.

Regarding Claim 2, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Forrester further teaches a monitor electrically connected

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to the processor for displaying operational statuses of the mobile phone (Col. 6 lines 2 – 4, typical wireless communication devices such as mobile phones comprise displays that display phone status indicators).

Regarding Claim 3, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 2. Myllymaki further teaches wherein the alarming module is the monitor being capable of displaying video signals corresponding to the alarming signal (Col. 3 lines 23 – 30).

Regarding Claim 4, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Myllymaki further teaches wherein the alarming module comprises at least a light emitting diode, wherein when the power level of the transmission signal rises over a predetermined value, the alarming signal is capable of initiating a light emitting diode of the alarming module to emit light, and when the power level of the transmission signal drops below a predetermined value, the alarming signal is capable of stopping the light emitting diode from emitting light (Col. 3 lines 8 – 30).

Regarding Claim 5, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Myllymaki further teaches wherein the alarming module comprises a vibrator for generating vibrations according to the alarming signal (Col. 3 lines 23 – 30).

Regarding Claim 6, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Myllymaki further teaches wherein the alarming module comprises a speaker for generating a sound according to the alarming signal (Col. 3 lines 23 – 30).

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Regarding Claim 7, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Forrester further teaches a signal amplifier for amplifying the communication signal according to controls of the processor (Figure 3, Cols. 6 lines 65 – 67, 7 lines 1 – 19, lines 27 – 32); and a power amplifier electrically connected to the signal amplifier for amplifying power of the communication signal (Figure 3, Col. 6 lines 65 – 67).

Regarding Claim 8, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 7. Forrester further teaches wherein the processor is capable of controlling the signal amplifier according to the result generated by the power measuring circuit (Col. 7 lines 27 – 32).

Regarding Claim 9, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 7. Forrester further teaches antenna capable of receiving radio signals for generating a corresponding receiving signal (Figure 3, Col. 6 lines 65 – 67).

Regarding Claim 12, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Myllymaki further teaches wherein the alarming processing module stores at least a predetermined range applied with a corresponding alarming signal, wherein when the result measured by the power measuring circuit matches one of the predetermined ranges, the alarm processing module is capable of generating a corresponding alarming signal (Col. 3 lines 8 – 30, the keypad enables the storage of the ranges).



Regarding Claim 13, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Myllymaki further teaches an analog-to-digital converter (ADC) electrically connected between the power measuring circuit and the alarm processing module for converting the result measured by the power measuring circuit to a digital signal (Col. 3 lines 31 – 36).

Regarding Claim 14, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Forrester further teaches a microphone for receiving a sound so as to generate a voice signal (Col. 6 lines 2 – 4, typical wireless communication devices such as mobile phones comprise a microphone for receiving sound); and a baseband circuit electrically connected to the microphone for generating a communication signal according to the voice signal (Col. 2 lines 37 – 42).

Regarding Claim 15, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 1. Forrester further teaches wherein the antenna is further capable of receiving radio signals transmitted to the mobile phone and generating a corresponding receiving signal (Figure 3, Col. 6 lines 65 – 67), the mobile phone further comprising: a baseband circuit for generating a voice signal according to the receiving signal (Col. 2 lines 37 – 42); a speaker electrically connected to the baseband circuit for generating a sound wave according to the voice signal (Col. 6 lines 2 – 4, typical wireless communication devices such as mobile phones comprise speakers for the purpose generating voice signals); a duplexer electrically connected between the antenna and a receiving circuit for transferring the transmission signal to

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the antenna and transferring the receiving signal from the antenna to the power modulating circuit (Figure 3, Col. 6 lines 65 – 67).

5. Claims 10 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forrester (US 6,710,651) in view of Myllymaki et al. (6,018,646), as applied to Claim 9 above, and further in view of Hellmark et al. (US 2002/0183086).

Regarding Claim 10, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 9. Forrester in view of Myllymaki does not teach wherein the processor is capable of controlling the signal amplifier according to the receiving signal such that when the receiving signal changes, the amplification controlled by the signal amplifier changes.

Hellmark teaches controlling the signal amplifier according to the receiving signal such that when the receiving signal changes, the amplification controlled by the signal amplifier changes (Sections 0005 lines 13 – 24, 0011).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Forrester in view of Myllymaki with the open loop method of Hellmark for the purpose overcoming the near-far problem as taught by Hellmark.

Regarding Claim 11, Forrester in view of Myllymaki teaches all of the claimed limitations recited in Claim 9. Forrester in view of Myllymaki does not teach wherein the processor is capable of controlling the signal amplifier according to a power level of



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the receiving signal such that when the power level of the receiving signal changes, the amplification controlled by the signal amplifier changes accordingly.

Hellmark teaches controlling the signal amplifier according to a power level of the receiving signal such that when the power level of the receiving signal changes, the amplification controlled by the signal amplifier changes accordingly (Sections 0005 lines 13 – 24, 0011).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Forrester in view of Myllymaki with the open loop method of Hellmark for the purpose overcoming the near-far problem as taught by Hellmark.

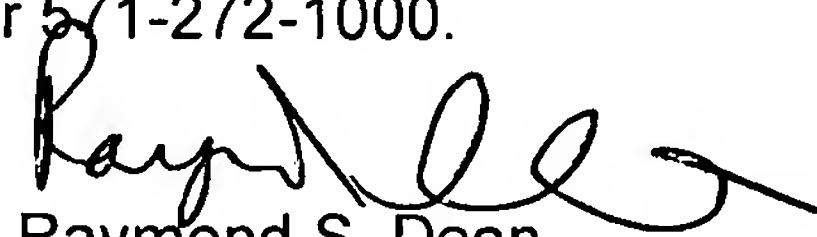
### ***Conclusion***


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Raymond S. Dean  
February 20, 2007

  
EDWARD F. URBAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600